

Request for City Council Action

Date: May 20, 2003

To: Council Member Lisa Goodman, Community Development Committee
Council Member Barbara Johnson, Ways and Means/Budget Committee
Refer to: MCDA Board of Commissioners

Prepared by Cherre' Palenius, Project Coordinator, Phone 612-673-5241

Approved by Lee Sheehy, MCDA Executive Director
Chuck Lutz, MCDA Deputy Executive Director _____

Subject: West Lowry Avenue Redevelopment Plan Approval.

Previous Directives: On August 11, 2000 the Minneapolis City Council passed Resolution 2000-R-350 supporting the Hennepin Community Works planning and redevelopment efforts for Lowry Avenue. On December 13, 2001 the City Council approved an appropriation for the Preliminary Planning Fund (PPF) of \$2,485,661. On June 25, 2001 the City Council authorized staff to enter into a Memorandum of Understanding with Hennepin County related to the Lowry Avenue Corridor Project. On October 28, 2002 the City Council approved amending the 2002 MCDA Appropriation Resolution to increase the appropriation in Fund CPP (PPF) by \$54,642 and establish Project CPP58 (Lowry Avenue Corridor). On January 21, 2003 the City Council approved an appropriation for the PPF of \$2,105,414. On May 6, 2003 the City Council set the public hearing for the proposed West Lowry Avenue Redevelopment Plan.

Ward: 3 and 4

Neighborhood Group Notification: Copies of the West Lowry Avenue Redevelopment Plan were sent to Cleveland Neighborhood Association, Folwell Neighborhood Association, Hawthorne Area Community Council, Jordan Area Community Council, and McKinley Community.

Consistency with *Building a City That Works*: The proposed redevelopment plan is consistent with Goal 3: Support strong and diverse neighborhoods where people choose to live and Goal 5: Participate in partnerships to achieve common community development objectives.

Comprehensive Plan Compliance: The *Lowry Avenue Corridor Plan* and the West Lowry Avenue Redevelopment Plan comply with numerous policies outlined in the Minneapolis Plan for community corridors.

Zoning Code Compliance: Will comply.

Impact on MCDA Budget: (Check those that apply)

- ☒ No financial impact
- ☐ Action requires an appropriation increase to the MCDA Budget
- ☐ Action provides increased revenue for appropriation increase

- ___ Action requires use of contingency or reserves
- ___ Other financial impact (Explain):

Living Wage / Business Subsidy: Will comply.

Job Linkage: Will comply.

Affirmative Action Compliance: Not applicable for this action.

RECOMMENDATION:

City Council Recommendation: The Executive Director recommends that the City Council approve the attached resolution adopting the creation of the West Lowry Avenue Redevelopment Project and forward to the MCDA Board of Commissioners.

MCDA Board Recommendation: The Executive Director recommends that the Board of Commissioners approve the attached resolution adopting the creation of the West Lowry Avenue Redevelopment Project.

Background/Supporting Information

Three years ago, Hennepin County undertook a comprehensive study of the Lowry Avenue corridor. The study area for the *Lowry Avenue Corridor Plan*¹ included the first block both north and south of Lowry Avenue along the entire corridor. The *Corridor Plan* sought to identify linkages and connections, analyze relationships between the corridor and nearby development sites or amenities, and to respond to concerns of interested neighborhood groups and local businesses. The concepts contained in the *Corridor Plan* addressed the main objectives for the planning process: to enhance access to jobs through public transportation; to effectively link civic spaces through transit, bicycle and pedestrian connections; and to congregate services, retail and office space around the transit centers and nodes.

Continual and active public participation was an essential element throughout the planning process. Neighborhood input provided through community meetings identified a strong desire for a pedestrian-friendly community corridor with more greenery and renovation or removal of problem properties. The transportation and land use analysis concluded that Lowry Avenue needed to be widened in certain segments to accommodate traffic, new bicycle lanes, wider sidewalks and landscaped boulevards.

In August 2000, the Minneapolis City Council passed a resolution supporting the Hennepin County Community Works planning and redevelopment efforts for Lowry Avenue and directed the MCDA to “participate as appropriate in the Lowry Corridor planning process, and to return with potential opportunities for City involvement in implementation activities.” In July 2001, Hennepin County and MCDA entered into a cooperative agreement to achieve the objectives of the *Corridor Plan*, seeking MCDA assistance, and expertise in property acquisition, relocation, and property management. Since that time, staffs from Hennepin County, MCDA, and City of Minneapolis have been working with community

¹ *Lowry Avenue Corridor Plan*, prepared for Hennepin County, Minnesota by Dahlgren, Shardlow, and Uban, Inc., Meyer Mohaddes Associates, Inc., Maxfield Research, Inc., Hess Roise and Company, and Northern Environmental Technologies, Inc. dated May 2002.

stakeholders, residents, and business owners to implement the *Lowry Avenue Corridor Plan*, which was approved by the Minneapolis City Council in July 2002. The implementation of the *Corridor Plan* is a multi-phase, multi-year long term project.

With assistance from Hennepin County, MCDA staff has completed the blight analysis of every parcel located within the project boundaries. The West Lowry Avenue Redevelopment Plan (the "Plan") was prepared to facilitate roadway improvements, pedestrian, bicycle, redevelopment, and other improvements on numerous blocks along Lowry Avenue between Interstate 94 on the east and Vincent Avenue North on the west. Attention will focus on providing redevelopment opportunities for housing and consolidating commercial into transit centered nodes along Penn, Fremont/Emerson, and Lyndale Avenues North. Regular and ongoing community meetings have been taking place as the implementation of the *Corridor plan* progresses, providing interested residents and local business owners with continuing opportunities to review and comment on various aspects of the proposed roadway. Hennepin County anticipates finalizing their preliminary roadway design in July 2003.

At this time, no specific acquisition parcels, TIF districts, or development proposals have been identified within the redevelopment project area. Anticipated redevelopment activities may include acquisition, demolition/rehabilitation, historic preservation, relocation, land disposition, site preparation, soil testing and correction, pollution remediation, administration, and other related activities. These actions are being undertaken for removing and reducing blight, promoting community development and increasing neighborhood stabilization. Additional Council actions will be required to implement preliminary and final roadway designs, establish TIF districts, special service districts, potential rezoning actions, and possible modifications to the Plan.

Staff is requesting approval of the attached resolution for the creation of the West Lowry Avenue Redevelopment Project.

Adopting the West Lowry Avenue Redevelopment Plan

RESOLVED BY THE CITY COUNCIL OF THE CITY OF MINNEAPOLIS:

Section 1. Recitals

- 1.1 Pursuant to Laws of Minnesota 1980, Chapter 595, as amended, and the Minneapolis Code of Ordinances, Chapter 422, as amended (the "Agency Laws") the Housing and Redevelopment Authority in and for the City of Minneapolis (the "City") has been reorganized, granted additional powers, and designated the Minneapolis Community Development Agency (the "Agency") with the authority to propose and implement city development districts, housing and redevelopment projects, and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179 as amended; and Laws of Minnesota 1971, Chapter 677 (collectively, the "Project Laws").
- 1.2 That by Resolution No 00R-350 on August 11, 2000, the City supported the Hennepin County Community Works planning and redevelopment efforts for Lowry Avenue, directed the Agency to participate as appropriate in the Lowry Avenue planning process, and to return with potential opportunities for City involvement in implementation activities; and in July 2002, the City approved the Lowry Avenue Corridor Plan;
- 1.3 It has been proposed and the Agency has prepared, and this Council has investigated the facts with respect to a proposed West Lowry Avenue Redevelopment Plan (the "Plan"). The Plan creates a new redevelopment project area (the "Project Area") to facilitate redevelopment on several blocks along Lowry Avenue, all pursuant to and in accordance with the Project Laws.
- 1.4 The Agency and the City have performed all actions required by law to be performed prior to the adoption of the Plan, including, but not limited to, a review of the proposed Plan by the affected neighborhood groups and the Planning Commission, transmittal of the proposed Plan to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.
- 1.5 The Council hereby determines that it is necessary and in the best interests of the City at this time to approve the Plan.

Section 2. Findings for the Adoption of the Plan

- 2.1 The Council hereby finds, determines and declares that the objectives and actions authorized by the Plan are all pursuant to and in accordance with the Project Laws.
- 2.2 The Council hereby finds, determines and declares that the Plan will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area by private enterprise as the proposed redevelopment removes blight and blighting influences, provides new roadway design and roadway enhancements and improvements, increases the city's tax base, and will serve as an impetus for the provision of needed community redevelopment, including affordable and mixed income housing, commercial and retail opportunities.
- 2.3 The Council hereby finds, determines and declares that the Lowry Avenue Redevelopment Project (the "Redevelopment Project") qualifies as a Redevelopment Project as defined in the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, Section 469.002, Subdivision 14 and 16). The Project Area qualifies as a "blighted area" under the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, Section 469.002, Subdivision 11, and it was found that with reasonable certainty, deficiencies exist in structures located within the boundaries of the proposed Redevelopment Project.
- 2.4 The Council hereby finds, determines and declares that according to the *Lowry Avenue Corridor Plan's* "Analysis of Existing Conditions": "the fundamental characteristics of Lowry Avenue are that it lacks the aesthetic and functional elements—and the physical dimensions needed to create those elements—that would make it an attractive, livable part of the City fabric. The combination of traffic congestion, inadequate sidewalks, inadequate bicycle facilities, non-existent green space, and blighted buildings creates an environment that cannot attract and keep strong businesses and satisfied residents in much of the corridor." Further, "the condition of buildings on Lowry Avenue varies based on a visual appraisal from the street, ...some of the areas that are in the worst condition...due to blighted or vacant buildings and undesirable businesses – are from Penn to Logan, and from Fremont east to Lyndale and I-94."
- 2.5 The Council further finds, determines and declares that the land in the Project Area would not be made available for redevelopment without the financial aide to be sought.
- 2.6 The Council further finds, determines and declares that the Plan conforms to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Plan were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.
- 2.7 The Council further finds additional public benefits will include blight remediation, tax base enhancement, economic integration, and increased neighborhood livability.
- 2.8 The Council further finds, determines and declares that it is necessary and in the best interests of the City at this time to approve the Plan.

Section 3. Approval of the Plan; Creation of Project Area

- 3.1 Based upon the findings set forth in Section 2 hereof, the West Lowry Avenue Redevelopment Plan presented to the Council on this date is hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Plan

- 4.1 The officers and staff of the City and the Agency, and the City's and the Agency's consultants and counsel, are authorized and directed to proceed with the implementation of the Plan, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, resolutions, documents and contracts necessary for this purpose.

MINNEAPOLIS COMMUNITY
DEVELOPMENT AGENCY

**West Lowry Avenue
Redevelopment Plan**

April 18, 2003

Prepared by Project Planning and Finance Department, MCDA
105 5th Avenue South, Minneapolis, Minnesota 55401

**West Lowry Avenue
Redevelopment Plan
April 18, 2003**

Table of Contents

Introduction

Background

Redevelopment Plan

- I. Description of Project
 - A. Boundary of Redevelopment Project
 - B. Project Boundary Map
 - C. Objectives of the Redevelopment Plan
 - D. Types of Redevelopment Activities
- II. Land Use Plan
 - A. Land Use Map
 - B. Land Use Provisions and Requirements
 - 1. Permitted Uses
 - 2. Additional Regulations and Controls or Restrictions to be Imposed on the Sale of Acquired Land
 - 3. Period During Which Land Use Provisions and Requirements will be in Effect
- III. Project Proposals
 - A. Rehabilitation
 - B. Redevelopers' Obligations
- IV. Relocation
- V. Official Action to Carry Out Redevelopment Plan
- VI. Procedure for Changes in Approved Redevelopment Plan

EXHIBITS

- 1. Boundary Map
- 2. Land Use Map

3. Citizen Participation Report
4. Affirmative Action Policy
5. Environmental Review
6. Project Area Report and Documentation of Blight
7. Preliminary Budget and Method of Financing Proposed
8. Relocation Plan
9. Proposed Roadway Design (Lyndale)

West Lowry Avenue Redevelopment Plan

April 18, 2003

Background

In August, 2000 the Minneapolis City Council passed a resolution supporting the Hennepin County Community Works planning and redevelopment efforts for Lowry Avenue, and directing the Minneapolis Community Development Agency (MCDA) to “participate as appropriate in the Lowry Corridor planning process, and to return with potential opportunities for City involvement in implementation activities.”

Since that time, Hennepin County, MCDA and City of Minneapolis have been working with community stakeholders, residents, and business owners to create the *Lowry Avenue Corridor Plan*. This Plan was approved by the City of Minneapolis Council in July 2002.

Lowry Avenue

Lowry Avenue spans roughly five miles as an east-west thoroughfare through the north third of Minneapolis, connecting the northwestern suburb of Robbinsdale with the northeastern suburb of Saint Anthony Village. Theodore Wirth Parkway marks the roadway’s west end, while Stinson Boulevard crosses its east boundary. Lowry Avenue is one of the few streets in this section of the City that bridges the Mississippi River. Lowry also crosses Interstate Highway 94, but does not have access to the freeway.

Lowry Avenue Corridor Plan

In July 2002, the Minneapolis City Council approved the Hennepin County sponsored Lowry Avenue Corridor Plan. This plan identifies redevelopment nodes and calls for the redesign of Lowry Avenue with wider sidewalks, on-street bicycle lanes, landscaped boulevards, and intersection improvements. To accommodate these roadway enhancements, additional right-of-way may be acquired either on the north or south side of Lowry Avenue between Dupont Avenue on the west and Interstate 94, at the Penn Avenue intersection, and possibly at Fremont/Emerson Avenues. Roadway design for the Lowry Avenue section between Theodore Wirth Parkway and Interstate 94 is currently underway. It is anticipated that by August 2003, the preliminary design of this section of roadway will be complete and brought before the Minneapolis City Council for approval. Upon approval of the plan, a consultant team will begin final design. At such time, Hennepin County will provide the Minneapolis

Community Development Agency with a roadway concept design which identifies properties that will be needed for roadway right-of-way widening.

In addition to the Redevelopment activities listed above, the following activities are the major focal point of Hennepin County's multi-phased,² multi-year Corridor Plan. The belief is that these projects would resolve long-standing problems, satisfy serious housing and commercial revitalization needs, and dramatically enhance the livability and economic health and stability of the corridor. These activities are being undertaken for the purpose of removing, preventing, or reducing blight, as well as for the provision of homeownership and rental opportunities for residents. The Agency and the County will work with the neighborhoods and other community groups and potential developers for development of sites in order to promote community development, stabilization of the neighborhoods, and enhancement of the city's tax base.

Roadway Improvements

In July 2002, the Minneapolis City Council approved the Hennepin County sponsored Lowry Avenue Corridor Plan. This plan identifies redevelopment nodes and calls for the redesign of Lowry Avenue with wider sidewalks, on-street bicycle lanes, landscaped boulevards, and intersection improvements.

Pedestrian, Bicycle and Other Improvements

- Sidewalks at least 6 feet wide (8 feet in most segments) both sides of Lowry along the entire corridor;
- One-way on-street bicycle lanes 5 feet wide on both sides of the entire corridor.
- Added boulevards at least 6 feet wide with landscaping, from Xerxes Avenue to Central Avenue;
- On-street parking in bumpouts with landscaped nodes along the corridor.

REDEVELOPMENT PLAN

I. Project Description

This Redevelopment Plan is being created to facilitate redevelopment on several blocks along Lowry Avenue, between Interstate 94 on the East, and Vincent Avenue on the West. Because of the sheer size of the Lowry Corridor, this is a multi-phased multi-year project. This Redevelopment Plan only addresses the western portion of Lowry Avenue. Modifications to the Redevelopment Plan can be expected as the project progresses. Excerpts

² This Redevelopment Plan includes Phase 1 and Phase 2 of the recommended phasing strategies contained in the Lowry Avenue Corridor Plan.

*from the Lowry Avenue Corridor Plan, dated May 2002, as it relates to
Redevelopment are:*

Redevelopment

- Concentration of commercial uses at key intersections, reintroduction of residential uses between these key nodes.
- Major redevelopment on several blocks around the Penn node, including added retail and residential uses, and accommodations for transit riders.
- Major redevelopment on several blocks around the Lowry/Lyndale intersection to include added retail, service and residential uses, with accommodations for transit.

The Redevelopment Plan establishes a redevelopment Project Area, establishes objectives for the redevelopment of the Project Area, identifies land uses for the redevelopment of the Project Area, and authorizes the use of tax increment financing as a tool for carrying out portions of the redevelopment activities described therein.

A. Boundary of Redevelopment Project

Under the authority of the Housing and Redevelopment Authorities Act, approval of this Redevelopment Plan establishes a new Redevelopment Project as defined in Minnesota Statutes Section 469.002, Subdivision 14. The Project Area Report and Documentation of Blight is attached as Exhibit #6 to this Redevelopment Plan.

The boundary of the Redevelopment Project is generally Vincent Avenue North on the west, Interstate 94 on the east, and parcels on the north and south of Lowry Avenue North.

B. Project Boundary Map

The Project Boundary Map is included in this Redevelopment Plan as Exhibit #1.

C. Objectives of the Redevelopment Plan

The City of Minneapolis, together with the Minneapolis Community Development Agency, and Hennepin County, seek to achieve the following objectives through the Redevelopment Plan.

- 1) To identify and carry out housing, retail and commercial redevelopment activities in the Project Area which will revitalize the Lowry Avenue Corridor.

- 2) *To enhance access to jobs*
- 3) Effective linking of civic spaces through transit, bicycle and pedestrian connection and the consolidation of services, retail and office space around transit centers/nodes

Toward these objectives, the following goals have been identified:

- (a) Facilitate the development and redevelopment of underutilized and/or blighted property in the Project Area
- (b) Eliminate blight, incompatible uses, and blighting influences
 - Acquire and remove buildings that are economically or functionally obsolete and/or buildings that are underutilized.
 - Remove structurally substandard buildings which are incapable of being rehabilitated.
 - Remove boarded and condemned property.
 - Vacant lots should be filled in with a new house or another use
 - Eliminate blighting influences which impede potential development.
 - Rid the area of crime, drug dealing, prostitution and associated crimes, increase the safety of the corridor, improve the look and feel of the area.
 - Make owners responsible for upkeep of their properties, create a minimum appearance code to provide cohesion and consistency along the corridor.
- (c) Develop affordable and mixed income housing, including both homeownership and rental units, to individuals and families. Provide more multi-family housing along the corridor.
- (d) Provide sufficient parking to meet the needs of the community.
- (e) Provide new commercial opportunities and spaces for commercial development.

- Revitalize/restore/renovate property in the area to create a safe, attractive and functional area
 - Strengthen key commercial nodes at Penn, Emerson/Fremont and Lyndale
 - Tie in with the transportation infrastructure, especially transit hubs, to take advantage of captive commuter markets for retail
 - Establish neighborhood-scale retail offerings; encourage mixed-use developments with housing, retail and office uses
 - Improve the aesthetic and economic vitality of the business district
 - Contribute to the cultural and economic vitality of the neighborhood
 - Promote reinvestment, modernization and rehabilitation as needed, encourage home renovation or development.
- (f) Provide public improvements and infrastructure as needed. Installation of pedestrian scale lighting, wider sidewalks, and landscaped boulevards.
- (g) Improve the tax base and tax revenue generating capacity of the City.
- (h) Support strong and diverse neighborhoods where people choose to live.

D. Types of Redevelopment Activities

The objectives of the Redevelopment Plan will be accomplished through the following activities: acquisition of properties and relocation of occupants, demolition, clearance and redevelopment, provision of roadway improvements, rehabilitation/renovation of existing structures, construction of buildings and other improvements, provision of affordable and mixed income rental and homeownership units, project and public improvements suitable to the needs of the project, bicycle lanes, landscaped boulevards, wide sidewalks, administration, and other related activities.

II. Land Use Plan

A. Land Use Map

Three basic land uses predominate on Lowry Avenue: single family residential, multi-family residential, and commercial. There are a few significant public uses and a number of churches. In the area between Vincent and I-94, the corridor is predominantly a mix of single family and multi-family residential, with three major commercial nodes: Penn Avenue, Emerson-Fremont, and Lyndale Avenue.

The Minneapolis Comprehensive Plan recognizes Lowry Avenue as an important east-west arterial. It categorizes the avenue as a “community corridor” with neighborhood commercial nodes identified above. In the Minneapolis Plan, a “community corridor” is identified as an important transportation corridor that has an emphasis on residential uses but supports commercial uses at specific locations. It supports new residential at medium density and neighborhood commercial uses. Design and development along community corridors is oriented toward the pedestrian experience. Streets identified as community corridors are important travel routes for neighborhood and pass-through traffic. Neighborhood commercial nodes are small-scale service locations and neighborhood focal points that provide at least 3 retail or service uses to surrounding residents, are pedestrian-oriented, with limited auto-oriented uses, are typically focused close to an intersection, often at the intersection of community corridors, and often contain a mix of uses within structures and lots.

A comprehensive rewrite of the Minneapolis Zoning Code and a remapping of the entire city under the new code designations was approved in 2000. The Lowry Avenue corridor’s new zoning reflects to a significant degree pre-existing land use patterns and zoning classifications. This is fitting with one of the general intents of the zoning code rewrite project which was to clean up certain inconsistencies existing under the old zoning but not create a significant number of new non-conforming uses.

Lowry Avenue supports numerous different zoning designations along its five-mile length that may or may not be reflective of the underlying land uses currently on the site. On the west side of the river, the zoning of the first two or three lots off Lowry does not share the predominant single family zoning designation of the rest of the surrounding neighborhoods. This differentiation is in keeping with its role as an important corridor, although not always in keeping with actual land use.³

³ *Lowry Avenue Corridor Plan, The Minneapolis Zoning Ordinance*

Rezoning may be necessary to accommodate varying densities, particularly for residential uses. In order to consolidate commercial uses at nodes and redevelop isolated, obsolete commercial properties, rezoning will need to occur. On a longer term basis, plan implementation will require rezoning and associated zoning issues. This is particularly required at the designated commercial nodes and areas of commercial or medium density residential development. The long term implementation period of the plan will require revisiting and reevaluating the plan and plan elements as needed.

The Land Use Map is included in this Redevelopment Plan as Exhibit #2.

B. Land Use Provisions and Requirements

1. Permitted Uses

- a. Residential uses shall conform to the Minneapolis Zoning Ordinance and generally limited to those areas specified as residential on the Land Use Map.
- b. Commercial uses shall conform to the Minneapolis Zoning Ordinance and shall be limited to those areas specified as commercial on the Land Use Map.
- c. Office uses shall conform to the Minneapolis Zoning Ordinance and shall be limited to those areas specified as office on the Land Use Map.

2. Additional Regulations and Controls or Restrictions to be Imposed on the Sale of Acquired Land

All new development on land acquired by the Agency shall conform to the applicable state and local codes and ordinances and the requirements of this Redevelopment Plan, including the provisions of the Minneapolis Zoning Ordinance. In cases where codes or ordinances are more restrictive than this Redevelopment Plan, the more restrictive will apply.

3. Period During Which Land Use Provisions and Requirements will be in Effect

The requirements and provisions of Section II. B. of this Redevelopment Plan shall apply to all of the properties acquired in the Project Area except where strict compliance thereto would

in the judgment of the Agency either not be in the best interest of the Redevelopment Project or the City, or would not contribute to the achievement of the objectives of this Redevelopment Plan. These requirements shall remain in effect for twenty years from the date of conveyance of the disposition parcels.

III. Project Proposals

In July 2002, the Minneapolis City Council approved the Hennepin County sponsored Lowry Avenue Corridor Plan. This plan identifies redevelopment nodes and calls for the redesign of Lowry Avenue with wider sidewalks, on-street bicycle lanes, landscaped boulevards, and intersection improvements. To accommodate these roadway enhancements, additional right-of-way may be acquired either on the north or south side of Lowry Avenue between Colfax Avenue on the west and Interstate 94 and at the Penn Avenue intersection. Roadway design for the Lowry Avenue section between Theodore Wirth Parkway and Interstate 94 is currently underway. It is anticipated that by mid-2003, the preliminary design of this section of roadway will be complete and brought before the Minneapolis City Council for approval. Upon approval of the plan, a consultant team will begin final design of the portion of the roadway between Girard Avenue and Interstate 94. At such time, Hennepin County will provide the Minneapolis Community Development Agency with a roadway concept design which identifies properties that will be needed for roadway right-of-way widening.

A. Rehabilitation

Property that is acquired under this Redevelopment Plan may be rehabilitated or sold for rehabilitation when such rehabilitation would serve to achieve the objectives of this Redevelopment Plan.

B. Redevelopers' Obligations

The general requirements to be imposed upon the developers, their successors or assigns, will be established in development agreements between the Agency, the County and each developer. Specific terms and conditions of development agreements between the Agency, the County and developers will be indicated in development agreements.

IV. Relocation

At this time, there are no properties identified for acquisition by the Agency that would bring in the Agency's Relocation Policy, however, the Agency accepts as binding its obligations under state and local law for relocation and will administer relocation services for families, individuals, and businesses to be displaced by public action carried out by the Agency. Hennepin County will carry out its own acquisition and relocation efforts as it relates to the roadway improvements through a Memorandum of Understanding and a Joint Powers Agreement between the MCDA, the City of

Minneapolis, Hennepin County and Hennepin County Housing and Redevelopment Authority. At such time as the Agency designates parcels for acquisition, a modification to this Redevelopment Plan would need to be completed (See Section VI. below).

The State Law requires that: "Prior to approval by the Agency of any redevelopment plan, it shall be satisfied that there is a feasible method for the temporary relocation of families to be displaced from the Project Area and that there are available or will be provided, in the Project Area or in other areas not less desirable in regard to public utilities and public commercial facilities and at rents or prices within the financial means of the families displaced from the Project Area, decent, safe, and sanitary dwellings equal in number of such displaced families."

V. Official Action to Carry Out the Redevelopment Plan

Minnesota law requires that the Minneapolis City Planning Commission review this Redevelopment Plan and that its written opinion, if any, accompany the Redevelopment Plan when it is officially submitted to the City Council for approval (Minnesota Statutes, Section 469.027). In approving the Redevelopment Plan, the City Council is responsible for carrying out those elements of the Redevelopment Plan requiring official action by the local governing body for the City.

VI. Procedure for Changes in Approved Redevelopment Plan

This Redevelopment Plan may be modified as provided in Minnesota Statutes, Section 469.029, Subdivision 6, as follows:

"A redevelopment plan may be modified at any time. The modification must be adopted by the authority and the governing body of the political subdivision in which the project is located, upon the notice and after the public hearing required for the original adoption of the redevelopment plan. If the authority determines the necessity of changes in an approved redevelopment plan or approved modification thereof, which changes do not alter or affect the exterior boundaries, and do not substantially alter or affect the general land uses established in the plan, the changes shall not constitute a modification of the redevelopment plan nor require approval by the governing body of the political subdivision in which the project is located."

Exhibit #1

West Lowry Avenue Redevelopment Plan Boundary Map goes here
For viewing, please contact MCDA

West Lowry Avenue Redevelopment Plan Land Use (zoning) Map goes here
For viewing, please contact MCDA

CITIZEN PARTICIPATION REPORT

West Lowry Avenue Redevelopment Plan

April 18, 2003

Numerous relevant plans and studies have been completed previously that can serve to help guide the development vision for the Lowry Avenue corridor. They are:

- ? Lowry Avenue Corridor Study (1999)
- ? The Minneapolis Plan (2000)
- ? The Minneapolis Zoning Ordinance (2000)
- ? Above the Falls: A Master Plan for the Upper River in Minneapolis (1999)
- ? Neighborhood NRP Plans (1992-2000)
- ? Lowry Avenue Corridor Plan (2002)

The different role that Lowry Avenue plays in the life of the communities east and west of the river is apparent in the manner in which it is treated in the neighborhood development plans that direct the funding provided through the Neighborhood Revitalization Program. West of the river, three of the four neighborhoods that have completed plans include the revitalization of commercial nodes along Lowry Avenue as specific components of their neighborhood revitalization strategies.

Cleveland (1996)

The Cleveland neighborhood recognizes that the future stability of the neighborhood as a whole depends on the stability and success of the Lowry and Penn commercial corridor. To that end, they dedicated \$30,000 to planning and \$400,000 to implementation of a commercial strategic plan.

Folwell (2000)

The Folwell neighborhood recognizes the need for residential and commercial revitalization of the primary corridors of Lowry, Penn, Dowling, and Fremont in the neighborhood. To that end they have dedicated \$236,572 to participate in planning and implementation for the revitalization of these corridors.

McKinley (1998)

McKinley neighborhood has yet to complete their full Neighborhood Revitalization Program Action Plan. Their first step plan focuses on housing and makes no explicit reference to Lowry Avenue.

Jordan (1992)

The Jordan neighborhood plan focuses on housing improvements and crime reduction and makes no explicit mention of Lowry Avenue.

Hawthorne (1999)

The Hawthorne neighborhood recognizes the need for new development along Lowry at Penn. To this end they have dedicated \$55,000 to support the implementation of the Penn Lowry Implementation Committee (PLIC) strategy for the redevelopment of the Penn/Lowry intersection (\$5,000 has been expended and \$20,000 is committed for Block X). The neighborhood has also dedicated \$20,000 to streetscape improvements and a buy-down program to assist owners in the rehabilitation of their commercial properties along Lowry Avenue as laid out in PLIC's Penn-Lowry plan.

Final plan documents were sent to the Cleveland Neighborhood Association, Folwell Neighborhood Association, Hawthorne Area Community Council, Jordan Area Community Council, and the McKinley Community for a forty-five day review period. These groups will be given the opportunity to review and comment on the Lowry Avenue Corridor Redevelopment Plan prior to consideration of the Redevelopment Plan by the City Council and the Minneapolis Community Development Agency Board of Commissioners.

Below is a list a meetings held to obtain community input into the roadway design process.

- ? Lowry Avenue Community Advisory Committee Meeting January 28, 2003
- ? Lowry/Penn Business Owner Meeting January 31, 2003
- ? Lowry/Lyndale Business Owner Meeting January 31, 2003
- ? West Lowry Avenue Roadway Public Workshop February 4, 2003
- ? Hawthorne Housing Committee April 2, 2003
- ? Lowry/Lyndale Business Owner Meeting April 7, 2003
- ? Lowry Avenue Community Advisory Committee Meeting April 10, 2003
- ? Lowry Avenue Roadway Public Workshop (tentative) May 20, 2003

Additional input will be added as a result of meetings with elected officials and the technical advisory committee. The Minneapolis Community Development Agency will continue to work with these groups throughout the implementation of the Redevelopment Plan.

**MINNEAPOLIS COMMUNITY DEVELOPMENT AGENCY
AFFIRMATIVE ACTION POLICY**

West Lowry Avenue Redevelopment Plan

April 18, 2003

It is the policy of the Minneapolis Community Development Agency to provide equal employment opportunities without regard to race, color, national origin, relation, sex, age, disability, affectional preference, or status with regard to public assistance to all applicants for employment and all employees. This pledge applies to all areas of employment including recruitment, employment, job assignment, training, promotion, transfers, rate of pay, and all other forms of compensation and benefits.

The employment policies and practices of the Minneapolis Community Development Agency will ensure that all employees and applicants for employment are treated equally and that no distinction is made in its employment practices, except on the basis of merit, because of race, color, national origin, religion, sex, age, disability, affectional preference, or status with regard to public assistance.

Developers and construction contractors who participate in redevelopment activities will be required to practice affirmative action and fulfill the Minneapolis Community Development Agency Affirmative Action checklist goals, and to develop and implement women and minority interest in business enterprise plans.

ENVIRONMENTAL REVIEW

West Lowry Avenue Redevelopment Plan

April 18, 2003

The Minneapolis Community Development Agency will comply with all applicable local, state and federal regulations and procedures regarding the assessment of potential environmental impacts resulting from project activities.

The corridor was reviewed by Northern Environmental Technologies, Incorporated (Northern Environmental) personnel over the course of several days in March and April 2001. Geologic, hydrologic, and topographic conditions were observed and recorded. ⁴The following is a summary of the environmental analysis conducted by Northern Environmental. The full report comprises three bound volumes and is available for review upon request from Hennepin County Department of Housing, Community Works and Transit.

Northern Environmental completed a modified Phase 1 Environmental Site Assessment (ESA) of the Lowry Avenue Corridor to provide information regarding present and past land use, and to evaluate the potential for contamination in areas that may be acquired and/or disturbed by the road construction project. This modified Phase 1 ESA uses reasonably ascertainable data to identify hazardous substances or petroleum products within the corridor, or into the soil, ground or surface water within the corridor.

The majority of the properties within the corridor study area are residential. Other properties include commercial properties located primarily near intersections, and industrial properties concentrated along the Mississippi River and near railroad tracks.

Parcels within the corridors were rated for known or potential contamination to impact subsurface conditions. Factors considered for the rating include current site conditions, historical property use, and regulatory information. The parcels were rated as having high, medium, or low potential, and were assigned an identification site number based on their location. Sites with a high potential include properties with documented subsurface contamination (including sites with cleanups issued closure by the Minnesota Pollution Control Agency, but with contamination left in place); sites with ongoing investigation and cleanup; properties with large amounts of chemicals; and/or sites with indications that a release has occurred.

⁴ Source: "Lowry Avenue Corridor Plan" May 2002

Sites rated with a medium potential for subsurface impact are sites that do not have active contamination investigation/cleanups at this time, but may have past, unreported or undocumented contamination. These sites include properties with cleanups that have been issued closure by the Minnesota Pollution Control Agency; sites with underground storage tanks; and/or sites with “poor housekeeping” practices. Sites rated medium* do not meet the criteria for a high rating, yet seem to have a higher potential for contamination to be present than other medium sites. These sites identified historically with storage tanks, but with no Pollution Control Agency documentation or information regarding tank removal, and properties with a history of land uses that indicates potential environmental concern, such as a filling station or auto-related business, for a time period of greater than 25 years.

Sites rated with a low potential for subsurface impact include those sites where known or inferred small or very small quantities of chemicals are used or stored on the property, and where there is no obvious evidence of “poor housekeeping practices”. Sites rated with a low potential do not appear to warrant further investigation at this time.

Inspection of the corridor did not include interiors of the structures within the corridor. The exteriors of structures present were observed where possible. Potential public or private thoroughfares, potable water supplies, sewage disposal systems, heating/cooling systems, drains or sumps, storage tanks, odors, pools of liquid, drums, unidentified substance containers, unusual electrical and hydraulic equipment, hazardous substances and petroleum products, pits, ponds, lagoons, and solid waste disposal areas observed and were noted and recorded. Areas which exhibited characteristics such as surface staining, stressed vegetation, or which were found to be littered with debris were evaluated and recorded. Obvious nearby off-site potential sources of hazardous substances or petroleum products were also noted. A general description of the corridor and adjacent properties was compiled from these observations.

The Phase 1 Environmental Site Assessment identified 14 high potential sites, 83 medium potential sites (23 of which were designated medium*), and 21 low potential sites within the corridor. In general, sites rated with a high or medium* potential for subsurface impact should be investigated further. Northern Environmental recommended that soil and/or groundwater samples be collected at or near the high and medium* potential sites to determine if known or potential contamination at these properties will impact potential redevelopment within the corridor. Sites rated medium may also warrant further investigation. Due to the large number of releases documented in the area of the corridor, and the length of time areas of the corridor have been used industrially or as filling stations, Northern Environmental also recommended that a construction contingency plan be prepared in case contamination is encountered during potential redevelopment work. Maps were included that indicated the locations of these sites.

**PROJECT AREA REPORT
AND DOCUMENTATION OF BLIGHT**

**West Lowry Avenue Redevelopment Plan
April 18, 2003**

Introduction

The West Lowry Avenue Redevelopment Project Area (the "Project Area") is located along the western portion of Lowry Avenue North. Lowry Avenue itself spans roughly five miles as an east-west thoroughfare through the north third of Minneapolis, connecting the northwestern suburb of Robbinsdale with the northeastern suburb of Saint Anthony Village. Theodore Wirth Parkway marks the roadway's west end, while Stinson Boulevard crosses its east boundary. Lowry Avenue is one of the few streets in this section of the City that bridges the Mississippi River. Lowry also crosses Interstate Highway 94, but does not have access to the freeway.

The Lowry Avenue Corridor planning process began in 1998 with an initial inventory of the corridor. The inventory was completed in 1999 and the formal planning process began in 2000 with Hennepin County's undertaking of a comprehensive study of the Lowry Avenue corridor. The study area for *the Lowry Avenue Corridor Plan*⁵ included the first block both north and south of Lowry Avenue on the entire corridor. The process included a market study to determine the potential demand for residential, commercial, and industrial uses, review of historical properties, environmental analysis of sensitive or polluted sites, and a transportation analysis. From the analysis, the consultant team recommended land use changes, transit village node locations, and roadway/right-of-way improvements. The corridor plan looks beyond this area as appropriate to identify linkages and connections, analyze relationships between the corridor and nearby development sites or amenities, and to respond to concerns of interested neighborhood groups.

The West Lowry Avenue Redevelopment Plan (the "Plan") is being created to facilitate roadway improvements, pedestrian, bicycle, other improvements, and redevelopment on several blocks along Lowry Avenue, between I-94 on the East, and Vincent Avenue North on the West. Because of the total size of the Lowry Corridor, this is a multi-phased multi-year project.

⁵ Lowry Avenue Corridor Plan, prepared for Hennepin County, Minnesota by Dahlgren, Shardlow, and Uban, Inc., Meyer Mohaddes Associates, Inc., Maxfield Research, Inc., Hess Roise and Company, and Northern Environmental Technologies, Inc. dated May 2002

Description of the Redevelopment Project Area

The West Lowry Avenue Redevelopment Project Area boundary encompasses one block north and south of Lowry Avenue from Interstate 94 through Vincent Avenue North, with a depth of two blocks at various commercial nodes. This proposed redevelopment Project Area surveyed contains over 1,000 parcels on approximately 54 city blocks. A boundary map is included as Exhibit 1 of the Plan. The Project Area is predominantly a mix of single family and multi-family residential units.

Neighborhood retail and service is spread throughout the area with a concentration of commercial uses occurring at the Lowry Avenue intersections of Penn Avenue, Fremont/Emerson Avenues and at Lyndale Avenue. Many properties are boarded and vacant or neglected. The Project Area is located in several neighborhoods⁶ within the Camden and Near North Communities in the City of Minneapolis.

Findings for the Redevelopment Project

The Lowry Avenue Redevelopment Project (the “Redevelopment Project”) qualifies as a Redevelopment Project as defined in the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, Section 469.002, Subdivision 14 and 16). The Project Area must qualify as a “blighted area” under the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, Section 469.002, Subdivision 11) as “any area with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light, and sanitary facilities, excess land coverage, deleterious land use, or obsolete layout, or any combination of these or other factors that are detrimental to the safety, health, morals, or welfare of the community”.

An areawide assessment of eligibility for purposes of establishing a Redevelopment Project was conducted in late 2002 and early 2003 by MCDA staff and a consultant contracted by Hennepin County. The building conditions in the proposed Project Area were surveyed pertinent to Minnesota Statutory requirements to determine if there is sufficient evidence to establish and qualify a Redevelopment Project under the Housing and Redevelopment Authorities Act. This process is a less rigorous test than the required findings for a Tax Increment Financing District, and no arithmetic figures or specific percentages are required. The report does not address environmental issues (e.g. pollution, contamination fugitive spills, asbestos, transformers containing PCB's or other unknown physical or geo-technical problems⁷).

It was found that the real property within the proposed Project Area consists of properties that are essentially one- and two-story residential and commercial-type buildings constructed circa 1900 to 1990. The vast majority of residential dwellings were constructed in the early 1900's. Less than 5 percent of the structures were constructed post 1997. The residential building components consist of wood framed

⁶ See Exhibit #3, Citizen Participation Report

⁷ An environmental analysis was conducted by Northern Environmental Technologies, Incorporated in 2001 (See Exhibit #6).

structures. Exterior building components include a variety of materials such as stucco, brick, asbestos, composite hardboard, and wood. Roof framing is primarily gable and hip type for residential buildings, and commercial structures are primarily flat. Residential roofing consists of either fiberglass or asphalt shingle material. Permit records indicate that less than 50 percent of the dwellings have had some sort of mechanical updating, rehabilitation or substantial rehabilitation in the past five years.

The majority of the single family homes and multi-family structures lack certain life safety factors; many are vacant, poorly maintained and are detrimental to the safety, health, morals, or welfare of the community by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design. Vacant and deteriorated properties undermine the value of the neighborhood and adjacent properties. Such use creates a repository for debris, thereby creating a fire hazard, and presents an atmosphere conducive to vermin infestation. Properties lacking necessary utilities are structurally substandard, and not fit for human habitation.

The majority of commercial structures are composed of concrete floors, beams and masonry walls with at grade access, and lack adequate parking facilities to accommodate customer vehicles. Lack of adequate parking makes it difficult for customers to access businesses, and for businesses to provide service to their customers. These conditions create traffic congestion, overcrowding, and are a hazard to motorists and pedestrians. The mixed nature of the land use has resulted in a tendency towards a lack of normal maintenance on the Lowry Avenue frontage elevation, particularly at the commercial nodes.

Due to the lack of off-street parking for the multi-family rental properties, it has become very difficult for owners and occupants to park cars, and to pick-up and drop off family without causing congestion and creating hazardous conditions. Additional factors that are detrimental to the health, welfare and morals of the community are characterized and affected by loud music, public urination, drug dealing, prostitution, panhandlers, suspicious persons, all at times exhibiting aggressive loud behavior.

The fundamental design defects of properties generate instability for residential and commercial operations, hinders viability of adjacent residential properties, and results in an uneconomic return for owners' investments and creates an adverse effect on adjacent property owners.

It was found that with reasonable certainty, deficiencies exist in structures located within the boundaries of the proposed Redevelopment Project. A survey of the buildings by the Agency indicated that most of the buildings surveyed are below standards contained in the Uniform Building Code applicable to new buildings. Conditions observed throughout the Project Area on both commercial and residential properties include the following deficiencies and non-compliance with the Uniform Building Code:

- ? Lack of accessibility, egress, stairways, route designations

- ? Weather-resistive barriers (weather-exposed surfaces shall have a weather resistive barrier to protect interior wall covering)
- ? Flashing and Counterflashing (openings exposed to the weather shall be flashed in such a manner to make them weatherproof)
- ? Dampproofing of Foundation Walls
- ? Roofing requirements (several homes have roofing in very poor condition)
- ? Draft Stops (attics, mansards, overhangs and other concealed roof spaces formed of combustible construction shall be draft stopped as specified)
- ? Safety Glazing. Hazardous Locations
- ? Poorly maintained exterior surfaces
- ? Roof damage caused by ice damming and worn roofing materials
- ? Broken, missing, damaged siding and trim in need of paint (obsolete asbestos and asphalt shingle siding)
- ? Broken storm doors and windows; boarded windows
- ? Cracked and deteriorated stucco
- ? Mortar missing on brick, stone and concrete
- ? Dilapidated garage framing and doors out of plumb and in need of paint
- ? Buildings uninhabitable
- ? Subsoil bearing problems resulting in extensive settlement
- ? Buildings on adjoining properties built too close to property line, violating both zoning and building codes (lack of proper setback and sideyard)
- ? Lacking fire rated separations between multi-unit residential properties

Minnesota State Energy Code deficiencies found:

- ? Walls, Roofs and floors (thermal resistance of insulation, undulation in rim joists indicating differential settlement), entrance doors, foundation windows, foundation wall insulation, slab foundations, vapor retarder requirements, exterior window wash barrier, windows, heating systems, etc).

Minneapolis Housing Maintenance Code deficiencies found:

- ? Lead Poisoning Prevention and Control (The majority of the single family homes and commercial structures were constructed prior to 1978 and may contain lead-based paint and lead solder).
- ? Defacement of property (graffiti)
- ? Foundation, roofs, exterior walls and surfaces (deteriorated condition, peeling paint, etc.)
- ? Windows, exterior doors, hatchways (deteriorated condition)
- ? Numbering of Units (lack of front and rear address numbers)
- ? Residential storage standards
- ? Fire warning systems
- ? Security for exterior garage doors (unsecured garage doors)
- ? Grading and draining (lack of ground cover)
- ? Weeds, other vegetation
- ? Fences and retaining walls (deteriorated fences, illegal)
- ? Fences adjacent to property lines (installed backwards)
- ? Screens (torn, broken or missing)

- ? Stairways and porches (deteriorated stairs, porches and rails)
- ? Guardrails (lack of code guardrails)

Staff and the consultant contracted by Hennepin County who conducted the assessment observed vacant residential properties that contained broken windows and interior areas open to the elements, with damage caused by vandalism or disuse, dilapidated out buildings, and graffiti covered walls which must be corrected in accordance with city ordinance. Exterior inspections revealed the presence of the following blighting conditions: roof damage caused by ice damming and worn roofing materials, damaged siding and trim, broken storm doors and windows, garage framing and doors out of plumb and in need of paint, trash on site, garage doors open directly onto the alley, and vacant commercial and residential buildings. The observed conditions are typical physical and functional obsolescence findings existing generally throughout the geographic area of the proposed Project Area with varying degrees of specificity.

The *Lowry Avenue Corridor Plan* includes a section entitled “Analysis of Existing Conditions” which states: “the fundamental characteristics of Lowry Avenue are that it lacks the aesthetic and functional elements—and the physical dimensions needed to create these elements—that would make it an attractive, livable part of the City fabric. The combination of traffic congestion, inadequate sidewalks, inadequate bicycle facilities, non-existent green space, and blighted buildings create an environment that cannot attract and keep strong businesses and satisfied residents in much of the corridor.” Further, “the condition of buildings on Lowry Avenue varies based on a visual appraisal from the street, ...some of the areas that are in the worst condition...due to blighted or vacant buildings and undesirable businesses – are from Penn to Logan, and from Fremont east to Lyndale and I-94.”

Findings to this effect will be included in the resolution considered by the City Council of the City of Minneapolis at the time that this plan document is offered for approval. The supporting documentation combining building analysis and blight findings is on file in the Development Services Department of the MCDA.

Exhibit # 7

Preliminary Budget and Method of Financing

West Lowry Avenue Redevelopment Plan

April 18, 2003

Description of Project

A coordinated, phased plan for the entire Lowry Avenue corridor, based on goals adopted by Hennepin County for the Lowry Avenue corridor include: enhancement of access to jobs through public transportation; effective linkage of civic spaces through transit, bicycle and pedestrian connections; and congregation of services, retail and office space around transit centers/nodes. The proposed plan is a long range plan with an implementation period over 30 years. Project phasing is broken down into five phases with phase one addressing the segment between Girard Avenue North and I-94.

The "Lowry Avenue Corridor Plan" included analysis of land use, market conditions, potential environmental contamination, historical elements, and transportation and traffic. Significant neighborhood input from community meetings identified the need for a more pedestrian-friendly environment with more greenery and renovation or removal of problem properties. The transportation and land use analysis concludes that Lowry Avenue needs to be widened in certain segments to accommodate traffic, new bike lanes, parking, and streetscape improvements.

The plan from this collaborative process includes several features that are critical to the future of the corridor and commercial nodes. These features will benefit both this residential and commercial community as well as the city in general.

Transportation consultants analyzed traffic needs for the next twenty years. The consultant found that the current roadway will likely be sufficient to handle anticipated traffic for the foreseeable future. The traffic analysis determined that the western and eastern ends of the avenue could accommodate traffic on two lanes of roadway while the traffic volume and characteristics would require a minimum of four lanes in the central portion of the corridor. Hennepin County has reviewed the consultant's traffic analysis and concurs with the analysis. The conceptual street design for the westerly segment of the corridor includes on-street bicycle lanes, treed boulevards, wider (8') sidewalks, and left turn lanes at major intersections.

Financing Overview

Sources of funds include tax increment financing, GAP funding sources including Hennepin County Affordable Housing Funds, Hennepin County's CIP contribution, a T-21 Grant, Hennepin County Transit Oriented Development (TOD) Fund, Metropolitan Council Livable Communities Funds, Empowerment Zone Funds, NRP Affordability Funds, Employer Assistance Funds, NRP Corridor Funds, Minnesota Housing Finance Agency (MHFA) Affordability Funds, private investments, and other sources not yet identified.

EXHIBIT # 8

MINNEAPOLIS COMMUNITY DEVELOPMENT AGENCY

RELOCATION POLICY*

***West Lowry Avenue Redevelopment Plan
April 18, 2003***

*includes information for both residential and business relocation, where applicable

I. Description of Administrative Organization

A. Relocation Agency - Minneapolis Community Development Agency

The Minneapolis Community Development Agency in and for the City of Minneapolis will administer relocation services for families, individuals and businesses to be displaced from property acquired by the Agency.

B. Ability-to-Pay Standards

1) Tenants

No family shall be required to accept referral to a dwelling unit if the gross rental charge for such unit exceeds 30 percent of their monthly income.

2) Home Buyers

It shall be the policy of the relocation staff to consider the following in the purchase of a home: The cost of the house should be consistent with the current ability to pay standards set forth by local lending institutions.

C. Environmental Standards

Referrals to dwelling accommodations shall be reasonably accessible to the place of employment of the primary wage earner and in an area which is generally not less desirable with regard to public facilities and commercial facilities than those existing in the area from which the family is being displaced. A comparable dwelling unit must be in a location not subjected to unreasonable adverse environmental conditions, natural or man-made.

II. Relocation Policy

It is the Agency's relocation policy that:

- A. Families and individuals to be displaced under this program have full opportunity to occupy standard housing that is within their financial means and adequate to their needs; is reasonably accessible to their places of employment or potential employment, transportation, and other commercial and public facilities; and is available on a non-discriminatory basis.
- B. Business concerns and non-profit organizations to be displaced be provided maximum assistance to aid in their satisfactory re-establishment with a minimum of delay and loss of earnings.
- C. Full relocation benefits will be provided to displaced businesses. Assistance will be provided in the preparation of claims for relocation benefits.
- D. Project or program activities to be planned and carried out in a manner that minimizes hardship to site occupants and that involves the smallest magnitude of displacement consonant with the needs of the project or program and the persons to be displaced.
- E. Relocation be carried out in a manner that will promote maximum choice within the community's total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation of racially inclusive patterns of occupancy and use of public and private facilities.
- F. Service be provided to assure that the relocation process will not result in different or separate treatment because of race, color, religion, national origin, sex, or source of income.
- G. Persons to be displaced be provided full information relating to program or project activities which may have an impact on the residents of the project or program area.
- H. Arrangements to be made to provide relocation assistance in accordance with the needs of those to be displaced, including social services counseling, guidance, assistance, and referrals, as well as rehousing.

Inspection will be made of all relocation resources to determine that the dwelling units are at a minimum in accordance with the Housing Maintenance Code of the City of Minneapolis.

III. Assistance in Obtaining Housing

- A. Listings

The following arrangements will be made with sources of existing private and public housing to the extent required to meet relocation needs.

1) Private Housing

Notification of vacancies will be obtained through utilization of the following sources as needed:

- Advertisements in newspapers;
 - Soliciting the cooperation of inspectors who are familiar with standard housing accommodations;
 - Windshield surveys of neighborhoods for vacancies; and
 - Soliciting cooperation of landlords at the time inspections are made to notify the Agency of future vacancies.
- 2) Apparently eligible applicants for public housing will be assisted in making application for low-rent public housing.

Families and individuals displaced will be accorded a priority in public housing.

- 3) Housing units which are scheduled for clearance under other governmental activity shall not be considered for referral.
- 4) Displacees will be encouraged to seek assistance with regard to inspection from the relocation counselor before moving. If the site occupant makes a self-move to substandard housing, the relocation counselor shall offer further assistance and encouragement to secure standard accommodations.
- 5) The Agency shall provide counseling and assistance to prospective homeowners.

B. Relocation Office

The Relocation Office, located in Suite 600, Crown Roller Mill, 105 - 5th Avenue South, Minneapolis, Minnesota, 55401-2538, will be staffed by supervisory and technical personnel. Office hours are from 8:00 a.m. to 4:30 p.m. Monday through Friday, but additional hours will be scheduled to accommodate persons unable to visit the relocation office during normal business hours.

C. Informational Program

Copies of the Informational Statement for families and individuals and an informational brochure for businesses are available for examination from Agency staff. The appropriate information is provided to relocatees.

IV. Eviction Policy

No person lawfully occupying property will be required to move without at least 90 days' written notice. Eviction is a rare occurrence, and results from one or more of the following situations:

- A. The failure to pay rent, except in those cases where the failure to pay is based upon the Agency's failure to keep the premises in habitable condition.
- B. Harboring a nuisance or use of the premises for illegal purposes.
- C. A material breach of the rental agreement.
- D. Refusal to accept one of a reasonable number of offers of accommodations meeting approved relocation standards.
- E. The eviction is required by state or local law and cannot be prevented by the Agency.

V. Affirmative Action and Equal Opportunity

In carrying out relocation activities, the Agency shall take affirmative actions to provide displaced families and individuals with maximum opportunities of selecting replacement housing within the community's total housing supply.

VI. Grievance Procedure

Persons and businesses aggrieved by the relocation process may initiate a grievance procedure as provided in Public Law 100-17 for the following reasons:

- A disagreement regarding the determination of eligibility for a relocation payment or the amount of the payment; or
- A disagreement regarding the adequacy of replacement housing referred by Agency staff to displaced persons or businesses.

A brief description of the grievance procedure follows:

- The aggrieved person may request a grievance review by the Agency's Executive Director or his designated representative (other than the staff person who was working with the aggrieved).

- An oral presentation by the aggrieved may be made in the company of an advisor or attorney to the Agency representative.
- The Agency representative will prepare a written finding.
- If the finding of the hearing officer is not satisfactory, judicial review may be sought.

All displaced persons and businesses receive information regarding this grievance procedure.

VII. Project Relocation Plan

No properties within the project area are designated as property that may be acquired by the Agency at this time. It is not known how many displacees will result from the execution of this plan at such time that properties are acquired by the Agency, however, all will receive relocation services and benefits for which they qualify, as discussed within the above sections of this relocation plan.

A. Residential Relocation - see paragraph under Section VII

B. Business Relocation - see paragraph under Section VII

Exhibit # 9

**Proposed Roadway Design (Lyndale)
(Emerson/Fremont) and Penn Avenue**